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DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340-

O/CONGRESSIONAL AFFAIRS

87-5622

2 NOV 1987

U-506/GC

TO: Central Intelligence Agency
Office of Congressional Affairs
Washington, D.C. 20505
ATTN:

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SUBJECT: Intelligence Community Legislative Program for the Second Session of the 100th Congress

1. This memorandum confirms our 29 October 1987 telephone conversation concerning DIA items in the Legislative Program. In particular, you requested cost analysis and changes-in-existing-law drafts for items 100/2-30, 31, 32 and 33.
2. 100/2-30: DoD Foreign Materiel Authority. Since this proposal creates a new chapter 154 in title 10, United States Code, there are no changes in existing law to be diagrammed. With respect to cost and budget data, the revised acquisition and transfer authorities should result in modest administrative savings when compared to the costs of administering projects under current authorities. The actual costs and savings resulting from this proposed legislation cannot be estimated accurately at this time since we cannot anticipate future foreign developments that will present targets of opportunity for employing these authorities. The authorities, themselves, will cost nothing. The frequency and degree of their use can be addressed in the appropriations process funding the substantive projects that will use these authorities. Meaningful cost and budget data will be reviewable in that context.
3. 100/2-31: DoD Intelligence Training Authority. This proposal adds a complete new section 2011 to chapter 101 of title 10, United States Code. The only change to existing statutory language would be the inclusion of a new item at the end of the chapter analysis: "2011. Training of certain foreign personnel." The use of this training authority anticipates inclusion of small numbers of foreign military personnel in existing, ongoing DoD training programs or classes. Hence, this legislation will result in only a slight increase in existing training requirements. We anticipate that the cost of this additional training provided under this new authority will be minimal.
4. 100/2-32: DIA Foreign Language Proficiency Pay. Again, this proposal adds a discrete new section to an existing chapter in title 10. Adding an additional line to the end of the chapter 33 is the only sectional change required: "1606. Special pay for foreign language proficiency." Our initial assessment places the cost for this program at approximately \$80,000.00 for the first year.
5. 100/2-33: DIA Overseas Personnel Benefits. This proposal would effect the following changes to existing statutory language:

"10 U.S.C. 1605. Benefits for certain employees of the Defense Intelligence Agency.

(a) The Secretary of Defense may provide to civilian personnel of the Department of Defense who are United States nationals, who are assigned to Defense Attache Offices and Defense Intelligence Agency Liaison Offices outside the United States, and who are designated by the Secretary of Defense for the purposes of this subsection, allowances and benefits comparable to those provided by the Secretary of State to officers and employees of the Foreign Service [under paragraph (2), (3), (4), (5), (6), (7), (8), and (13) of section 901 and sections 705 and 908 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3), (4), (5), (6), (7), (8), and (13), 4025, 4083) and under section 5924(4) of title 5]...."

"37 U.S.C. 432: Benefits for certain members to the Defense Intelligence Agency.

(a) The Secretary of Defense may provide to members of the armed forces who are assigned to Defense Attache Offices and Defense Intelligence Agency Liaison Offices outside the United States and who are designated by the Secretary of Defense for the purposes of this subsection, allowances and benefits comparable to those provided by the Secretary of State to officers and employees of the Foreign Service [under paragraph (2), (3), (4), (5), (6), (7), (8), and (13) of section 901 and sections 705 and 908 of the Foreign Service Act of 1980 (22 U.S.C. 4081(2), (3), (4), (5), (6), (7), (8), and (13), 4025, 4083) and under section 5924(4) of title 5]...."

Our initial assessment suggests that the cost of these expanded benefit authorities will be nominal. The types of benefits added by this provision concern emergencies or special circumstances which are intermittent. In effect, this added authority will be focused on contingency situations, for which no large budgetary allotment currently is anticipated.

6. In addition to the preceding information, you have also suggested that we elaborate upon the justification analysis for 100/2-30 and 100/2-31:

DoD Foreign Materiel Authority. The Department of Defense recently has had difficulty in transferring and/or reprogramming sufficient appropriated funds quickly enough to capitalize upon the unanticipated availability of foreign materiel with significant intelligence value, or to acquire such materiel that may have significant bearing upon pending foreign policy decisions. In both cases, timely acquisition may be vital. Improved acquisition authority will also benefit foreign materiel acquisition crucial to other significant activities such as weapons testing and development. The present acquisition system does not have sufficient flexibility to respond to these needs.

DoD Intelligence Training Authority. The Defense Intelligence Agency has had several opportunities to establish or improve intelligence collection capabilities frustrated because of the Agency's inability to offer basic intelligence training to foreign military personnel. Such training authority could enhance substantially the Agency's ability to establish or expand liaison and cooperation with foreign intelligence services. The training to be provided would teach basic intelligence skills to selected foreign military personnel. We believe the intelligence benefits received would far outweigh the modest training costs anticipated.

7. Should you require further information, please feel free to contact me at once (697-5842).



Assistant General Counsel
for Legislation

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